

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

11/12/2019

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call to Order

In the absence of Mayor Barnett, Mayor Pro Tem José called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor José led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Council Attendance (Present): Commissioner José, Commissioner Earl, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray

Absent: Mayor Barnett

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village-owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

Mayor Pro Tem José said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

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3. Minutes of Council Meetings

MIN 2019-8351 — A. Minutes: Council Minutes – November 5, 2019

Motion: Commissioner Earl moved to approve the minutes as presented. Commissioner Walus seconded the motion.

Votes: Yea: Commissioners Earl, Walus, Gray, Kulovany, Sadowski-Fugitt; Mayor José

Nay: None

Mayor José declared the motion carried.

4. Public Comments

This is the opportunity for public comments.

1. David Rose commented that at last week's Council meeting they heard many residents saying they expected the Council to live up to the goal of being the steward of environmental sustainability. He said he submitted a paper for the Council's consideration giving his analysis of what this entails if their actions are to be anything but conscience laundering, which he defines as actions that make individuals feel good about themselves for doing something rather than nothing but which have little effect in actually addressing the problem. He said he has heard nothing back from Council and wanted to comment further on the topic. People fail to appreciate that the goal of environmental sustainability is a political economic problem, and that is why so little is being done about it. Making environmental sustainability a real goal necessitates reassessing everything about the way of life in the Village and around the world. One speaker last week referenced comments made by 11,000 scientists calling for substantial changes if humans are going to undo their impact on the planet's climate. He said the Village fell upon using the term environmental sustainability. As material beings we are dependent on the resources we need to sustain ourselves. If we are wise we are mindful of the limits on the availability of those resources. He said in the paper he submitted he finds the Village council interpretation too loose and malleable and unable to convey the urgency, magnitude and nature of the actions needed. He noted that leading environmental groups have downplayed the degree to which American life needs to change. Once people have become accustomed to and enjoy a particular way to life it's hard to conceive it might not be sustainable. Good government is one whose main priority is promoting economic growth, but the credibility of endless economic growth is in doubt. Mr. Rose said the fundamental question is whether economic growth is environmentally sustainable. However much the Village is presently doing to address the matter, one cannot disprove his contentions that the way of life in the Village is currently not environmentally sustainable and the residents of the Village are not doing nearly enough to move in the direction of attaining sustainability. He will be happy to be proven wrong and will accept it when good government in Downers Grove takes as its main priority promoting environmental sustainability.

Mayor José said that economic development is positive in Downers Grove. Steps have been taken to be greener and become more sustainable. There's nothing inadvertent about the steps that the Village has taken over many years and under the guidance of many Councils. The Village repeatedly wins green fleet awards, zoned for solar arrays, made changes to snow plowing and ice-melting operations, placed solar heating on well houses, planted hundreds of trees per year, and so there's nothing inadvertent about any of those steps. He stated that there is still more to do, and this Council and staff is committed to that. He looks forward to continuing the conversation and he thanked Mr. Rose for his comments and for continuing to come and to make sure we are all responsive and accountable to the people of Downers Grove and making us more sustainable.

2. Preston Straub said he has been at the Council meeting several times, and getting a report put together to the Council from their attorney, Audrey Anderson, hasn't materialized. He wants to resolve the situation regarding the fire alarm system they have with the Village, which is now in the appeals court. He said they intend to have something put together for the Council within the next few days even if it's not from their attorney. He further

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submitted a letter that was sent to the Village Square Condominium Association by the Fire Department. It is a letter that he feels is nothing more than intimidation and coercion, and is unsigned by an individual. It speaks to their side of the issue and really doesn't speak to the truth of the matter. They suggested that they want life safety but denies that what the association wants to do is remove heat detectors that do not offer life safety and replace them with interconnected smoke detectors that offer life safety. He stated that they want to install this system and should have had the right to go to an appeals board. He described how the system works. He wants the Council to act in the capacity of the appeals board and put this on an Agenda. He left the letter with staff.

5. Public Hearings

PUB 2019-8364 — A. Public Hearing: 2020 Budget Public Hearing

Mayor José called the public hearing to order at 7:14 p.m. to consider the proposed FY20 Budget. Notice of this hearing was published in Enterprise Newspapers, Inc. (The Bugle) on October 30, 2019, and a certificate of publication is made a part of these proceedings. He then summarized the procedures to be followed for the public hearing.

Village Manager Dave Fieldman provided an overview of what will be discussed including the budget schedule, key points, water fund, stormwater fund and capital projects fund. The budget schedule began November 5. Additional meetings will take place November 12, 16 and 19 and December 3 and 10.

The proposed budget is a balanced General Fund and recommended fund balance. He said that money is available for a Village Facilities Replacement Sustainability Plan, a \$175,000 increase in property tax levy for operations, property tax levy increase for required public safety pensions, maintaining staffing levels, \$21.3 million investment in the infrastructure, funds for the replacement of the Village's enterprise resource planning system.

Mr. Fieldman said tonight they would focus on the \$21.3 million in the infrastructure planned for FY20. Each infrastructure system is designed to meet performance standards established by the Village and includes Finance, Water, Stormwater and Drainage, Parking Traffic and Bikes, and Sidewalks.

Stan Balicki, Assistant Director of Public Works, presented the information on the Village's Water Fund. Mr. Balicki described the water fund as an enterprise fund with revenue generated by customers. Objectives are to provide safe and reliable drinking water, to operate the system cost effectively, and to achieve stable and sufficient water rates. Water is purchased from the DuPage Water Commission who obtains treated Lake Michigan water from the City of Chicago. He described the number of hydrants providing fire protection, and the number of miles of water distribution main transmitting the water.

Mr. Balicki then reviewed the water fund proposed for FY 20, with revenues projected to be \$19.36 million, expenses projected at \$20.87 million, and the revenues include \$3.5 million of IEPA loans.

He then reviewed the major categories of expenses including the cost of the water at \$8.99 million, capital costs of \$5.68 million, operations and maintenance at \$4.34 million, debt service at \$1.86 million, with a total budgeted expense of \$20.87 million. He then reviewed the major capital plans for 2020 including watermain replacements, in addition to facility improvements and well rehabilitation work. The budget includes a rate increase of 4.6% effective July 1, 2020, and the typical household impact is expected to be about \$23.00 annually.

Public Works Director Nan Newlon made a presentation regarding the Stormwater Fund. She said it is an Enterprise Fund created in 2013 to provide revenues to complete capital projects and operations and maintenance. There are planned increases to the stormwater fee. She said the FY20 revenues are expected to be \$5.54 million, with expenses of \$9.98 million, with a remaining fund balance of \$1.13 million. She reviewed projected revenues of \$5.04 for stormwater utility fees. \$50 million for grants and builder contributions, resulting in total 2020 budgeted revenues of \$5.54 million. Planned expenses include \$5.84 million toward capital projects, \$2.86

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million for operations and maintenance and \$1.28 million for debt services resulting in 2020 budgeted expense totals of \$9.98 million. Ms. Newlon showed the locations of projects ongoing in the Village, as well as projects planned for 2020. They will complete the last two remaining non-floodplain projects that are Burlington Highlands and the Hobson Triangle. She displayed a slide showing the major stormwater projects planned for 2020. The financial impact for a typical household caused by the rate increase is \$12.96 per year per household.

John Welch, Assistant Director of Public Works, presented the information on capital projects for streets, sidewalks, traffic and other capital projects. He said the objective is to be cost effective and coordinate timing of the projects. FY20 revenues are \$7.16 million with expenses of \$9.29 million. He then reviewed the capital projects planned for 2020 including the street projects totaling \$2,853,700, and sidewalk projects totaling \$1,334,000. Traffic projects for 2020 are projected for \$771,000. He reviewed all the projects totaling \$6.4 million.

Mr. Fieldman said that each Council member has been briefed prior to this presentation and each is familiar with the information provided.

Commissioner Kulovany asked where the Village is with regarding to the emerald ash borer. Mr. Fieldman said he would get that information to the Council.

Commissioner Earl thanked staff as she's been asking for streetlight improvements in the downtown Fairview area for a long time. She appreciates the work everyone has done to get that finalized.

Mayor José thanked staff for the work that goes into preparing this budget. He said there is a lot of building in Downers Grove that reflects the Village's commitment to its infrastructure. He spoke about the General Fund noting that this is a balanced budget. He noted that something new this year is the property tax increase that hasn't been there for eight years. He said that property taxes are one revenue source that the Village can count on, while other taxes fluctuate. He said no one likes the property taxes, but it is the primary revenue source with no fluctuation. He noted that the intent to keep property taxes flat eventually had to end. Costs go up, and while staff does a good job at trying to keep costs down, there are still cost increase in other areas. He noted that the risk management and health care costs beat the national averages. Mayor José said that there is a large number of Priority Action Items that are large in scope, one of which includes the rebuild of the facilities. The future of downtown has to be considered and all of these items require staff and funds. He said that a property tax increase comes to the Village with reflections and the vision to get things done that the residents want and expect to be done. He said they cannot continue to ask staff to do more with less.

There being no further comments or questions, Mayor José adjourned the public hearing by voice vote at 8:40 p.m.

6. Consent Agenda

BIL 2019-8421 — A. Bills Payable: No. 6490, November 12, 2019

MOT 2019-8386 — B. Motion: Award \$20,700.00 to Streichers, Inc., Minneapolis, MD, for 18 Defender X Level IIIA Ballistic Shields

Summary: This awards \$20,700.00 to Streichers, Inc., Minneapolis, MN, for 18 Defender X Level IIIA Ballistic Shields.

RES 2019-8405 — C. Resolution: Authorize an Agreement with Comcast Cable Communications Management, LLC

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Summary: This authorizes an agreement with Comcast Cable Communications Management, LLC.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC

RESOLUTION 2019-84

MOT 2019-8422 — D. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Plan Commission - October 3, 2019; Liquor Commission - October 7, 2019

Motion: Commissioner Earl moved to approve the Consent Agenda as presented. Commissioner Walus seconded the motion.

Votes: Yea: Commissioners Earl, Walus, Gray, Kulovany, Sadowski-Fugitt; Mayor José

Nay: None

Mayor José declared the motion carried.

7. Active Agenda

ORD 2019-8388 — A. Ordinance: Amend Alarm System Requirements

Summary: This amends alarm system requirements.

AN ORDINANCE AMENDING ALARM SYSTEM REQUIREMENTS

ORDINANCE NO. 5780

Motion: Commissioner Earl moved to adopt "An Ordinance Amending Alarm System Requirements," as presented. Commissioner Walus seconded the motion.

Votes: Yea: Commissioners Earl, Walus, Gray, Kulovany, Sadowski-Fugitt; Mayor José

Nay: None

Mayor José declared the motion carried.

ORD 2019-8383 — B. Ordinance: Amend Construction Site Management Permits and Provisions Concerning the Protection of Trees and Shrubs

Summary: This amends construction site management permits and amends provisions concerning the protection of trees and shrubs.

AN ORDINANCE AMENDING CONSTRUCTION SITE MANAGEMENT PERMITS AND AMENDING PROVISIONS CONCERNING THE PROTECTION OF TREES AND SHRUBS

ORDINANCE NO. 5781

Motion: Commissioner Earl moved to adopt An Ordinance Amending Construction Site Management Permits and Amending Provisions Concerning the Protection of Trees and Shrubs including the Change to Section 24.7B, Changing the Required 24" of Tree Diameter to 18" of Tree Diameter. Commissioner Walus seconded the motion.

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Commissioner Kulovany said he agrees with the change from 24” to 18”. He would love to see this reduced further, however, we have limited staff.

Ken Lerner said he submitted comments on the behalf of the Pierce Downers Heritage Alliance. He is happy to see the Council recognizing ongoing issues with construction, and the need to strengthen protections. He said that measures in the ordinance are seen as appropriate and they support the amendment. Because trees are important, he hopes to consider protection of all trees on a site and not just parkway trees.

Commissioner Gray asked whether a definition for “nuisance” tree was ever received.

Mr. Fieldman responded that in the update box staff has added clarification there. The Village does not classify any parkway tree as a nuisance, with the exception of Sec. 24.6 where trees are infected.

Mayor José thanked his colleagues and everyone involved in the amendment.

Votes: Yea: Commissioners Earl, Walus, Gray, Kulovany, Sadowski-Fugitt; Mayor José

Nay: None

Mayor José declared the motion carried.

8. First Reading

MOT 2019-8363 — A. Motion: Estimate 2019 Aggregate Tax Levy for the Village of Downers Grove

Deputy Village Manager Mike Baker presented the estimated aggregate tax levy.

Mr. Baker showed a slide depicting the Village's portion of the tax bill at 9.56%. He reviewed the five components of the Village's tax bill: Fire Pension, Police Pension, Corporate, Fire Protection, and Capital. The impact on individual property for a \$300,000 home will be an increase of about \$33.00. He then summarized the total estimated levy. The total tax levy is \$30,143,586, with abatements of \$9,674,936. The Library Levy amounts to \$5,497,919, and \$342,267 is attributed to Special Service Areas. There is an anticipated total increase of \$828,439. The 2018 Village levy was \$13,800,025, and the 2019 Village levy is \$14,628,464.

There were no questions from the Council or the public.

ORD 2019-8384 — B. Ordinance: Authorize a Special Use for 2300 Wisconsin Avenue, Suite #318 to Permit a Personal Vehicle Repair and Maintenance Business

Stan Popovich, Director, Community Development, reviewed the ordinance for property at 2300 Wisconsin Avenue, just west of Belmont Road, in the Ellsworth Industrial Park. It consists of three buildings with multiple industrial and auto-related uses. The petitioner is requesting a special use for high-end auto repair. There is adequate parking for the facility, and the petition compiles with the Village's Comprehensive Plan. The Plan Commission meeting of October found that the Special Use standards were met.

Commissioner Earl said this is the third special use for auto repair. She asked is there is a maximum number that can be allowed.

Mr. Popovich said there is no maximum in the ordinance which was changed a few years ago for Special Uses of this nature. Cars are dropped off but stores inside the building. In further response, Mr. Popovich said these are all high-end vehicles.

9. Manager's Report

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Mr. Fieldman said that the Chicago Area Clean Cities has bestowed on Downers Grove the 2019 Chicago Area Clean Cities Leader Award. It is part of the U.S. Department of Energy's Clean Cities program to advance energy, economic and environmental security of the U.S. by supporting local decisions to adopt practices that reduce the use of petroleum and petroleum consumption. The Village has been a leader in environmental stewardship and fleet for several years.

10. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance authorizing a special use for 2300 Wisconsin Avenue, Suite #318 to permit a personal vehicle repair and maintenance business

11. Mayor and Council Member Reports

Commissioner Kulovany said that the Downers Grove Historical Society event on "History on Tap" is a sold out event.

Commissioner Walus announced the 16th annual Bonfield Express on Thanksgiving morning. She encouraged people to participate.

Commissioner Earl expressed her condolences to Commissioner José on the loss of his stepfather. She extended her deepest sympathies to him and his family.

Commissioner Gray commented that this weekend he attended the Illinois Music Education Association District 1 festival. It was a beautifully organized performance of a variety of musical types. He thanked all the music educators for their work on this program. He also noted that Herrick Middle School will present the musical, Freaky Friday, on November 14, 15 and 17.

Mayor Pro Tem José said he missed last week's meeting due to the loss of his stepfather, Bob Traxler, who passed away at the age of 88. He was an extraordinary public servant and served in the Michigan legislature and then in the U.S. House of Representatives for 19 years. He was a great source of inspiration, advice, comfort and laughs. He was a great guy and he will be missed.

12. Adjournment

Mayor José asked for a motion to adjourn.

Motion: Commissioner Earl moved to adjourn. Commissioner Walus seconded the motion.

Votes: Yea: Commissioners Earl, Walus, Gray, Kulovany, Sadowski-Fugitt; Mayor José

Nay: None

Mayor José declared the motion carried and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

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April Holden

Village Clerk